



House of Representatives

General Assembly

File No. 500

February Session, 2008

House Bill No. 5918

House of Representatives, April 7, 2008

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING JURORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-217a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) A person shall be excused from jury service during the jury year
4 commencing September 1, 1999, and each jury year thereafter, [upon
5 request of that person,] if during the next three preceding jury years
6 such person appeared in a court for jury service and was not excused
7 from such jury service, except that such person may request to be
8 summoned for jury service during such three-jury-year period in the
9 same manner as persons are summoned who are not excused from
10 jury service. Such request may be made at any time with written notice
11 to the Jury Administrator.

12 (b) The court shall have authority to excuse a juror from juror
13 service, upon a finding of extreme hardship.

14 Sec. 2. Subsection (c) of section 51-217 of the general statutes is
15 repealed and the following is substituted in lieu thereof (*Effective*
16 *October 1, 2008*):

17 (c) The Jury Administrator shall have the authority to establish and
18 maintain a list of persons to be excluded from the summoning process,
19 which shall consist of (1) persons who are disqualified from serving on
20 jury duty on a permanent basis due to a disability for which a licensed
21 physician has submitted a letter stating the physician's opinion that
22 such disability permanently prevents the person from rendering
23 satisfactory jury service, (2) persons seventy years of age or older who
24 have requested not to be summoned, [and] (3) elected officials
25 enumerated in subdivision (4) of subsection (a) of this section and
26 judges enumerated in subdivision (5) of subsection (a) of this section
27 during their term of office, and (4) persons excused from jury service
28 pursuant to section 51-217a, as amended by this act, who have not
29 requested to be summoned for jury service pursuant to said section.
30 Persons requesting to be excluded pursuant to subdivisions (1) and (2)
31 of this subsection must provide the Jury Administrator with their
32 names, addresses, dates of birth and federal Social Security numbers
33 for use in matching. The request to be excluded may be rescinded at
34 any time with written notice to the Jury Administrator.

35 Sec. 3. Section 51-247a of the general statutes is repealed and the
36 following is substituted in lieu thereof (*Effective October 1, 2008*):

37 (a) An employer shall not deprive an employee of his or her
38 employment, or threaten or otherwise coerce [him] the employee with
39 respect [thereto] to his or her employment, because the employee
40 receives a summons in accordance with the provisions of section 51-
41 232, responds [thereto] to the summons, or serves as a juror.

42 (b) Any juror-employee who has served eight hours of jury duty in
43 any one day shall be deemed to have worked a legal day's work as that
44 term is used in section 31-21, as amended by this act, and an employer
45 shall not require the juror-employee to work in excess of said eight
46 hours.

47 (c) Any employer who violates this section shall be guilty of
48 criminal contempt, and, upon conviction thereof, may be fined not
49 more than five hundred dollars or imprisoned not more than thirty
50 days, or both.

51 [(b)] (d) If an employer discharges an employee in violation of this
52 section, the employee, within ninety days of such discharge, may bring
53 a civil action for recovery of wages lost as a result of the violation and
54 for an order requiring reinstatement of the employee. Damages
55 recoverable shall not exceed lost wages for ten weeks. If [he] the
56 employee prevails, the employee shall be allowed a reasonable
57 attorney's fee fixed by the court.

58 [(c)] (e) Any employer who fails to compensate a juror-employee
59 [under subsection (b) of] pursuant to section 51-247 of the 2008
60 supplement to the general statutes and who has not been excused from
61 such duty [under] to compensate a juror-employee pursuant to section
62 51-247c of the 2008 supplement to the general statutes shall be liable to
63 the juror-employee for damages. The juror may commence a civil
64 action in any superior court having jurisdiction over the parties.
65 Extreme financial hardship on the employer shall not be a defense to
66 [this] such action. The court may award treble damages and reasonable
67 attorney's fees to the juror upon a finding of wilful conduct by the
68 employer.

69 [(d)] (f) Each state's attorney, assistant state's attorney and deputy
70 assistant state's attorney shall collect in the name of the state and by
71 suit when necessary, any fines imposed under this chapter.

72 Sec. 4. Section 31-21 of the general statutes is repealed and the
73 following is substituted in lieu thereof (*Effective October 1, 2008*):

74 [Eight] Subject to the provisions of subsection (b) of section 51-247a,
75 as amended by this act, eight hours of labor performed in any one day
76 by any one person shall be a legal day's work unless otherwise agreed.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2008</i>	51-217a
Sec. 2	<i>October 1, 2008</i>	51-217(c)
Sec. 3	<i>October 1, 2008</i>	51-247a
Sec. 4	<i>October 1, 2008</i>	31-21

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill makes minor changes to jury administration; these changes have no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5918*****AN ACT CONCERNING JURORS.*****SUMMARY:**

This bill gives the jury administrator authority to add to the list of people excused from jury service those people who have performed jury duty and are, by law, excused from performing jury service for three years.

As under current law, a person can request that he or she not be excused from service during that three-year period. The bill provides that such a person send a written notice to the jury administrator and the jury administrator will not put them on the list of people excluded from the summoning process.

The law prohibits an employer from depriving an employee of employment or threatening or coercing the employee because the employee receives a jury summons. The bill specifies that an employee who serves eight hours of jury duty in a day is considered to have worked a legal day's work and the employer cannot require the employee to work more than eight hours. As for violations of current law, the bill makes these violations criminal contempt subject to up to 30 days in prison, a fine of up to \$500, or both.

EFFECTIVE DATE: October 1, 2008

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 43 Nay 0 (03/24/2008)